

ATTORNEYS, ADMINISTRATORS AND JUDICIAL OFFICER NEEDED TO REVISE STATE BAR 1990 INDIGENT DEFENSE GUIDELINES

Background on 1990 Guidelines

The State Bar of California Guidelines for Indigent Defense Services Delivery Systems were first issued in 1980 by the former State Bar Legal Services Section's Standing Committee on the Delivery of Legal Services to Criminal Defendants. In 1987, at the recommendation of the standing committee, the Board of Governors established the Commission on the Delivery of Legal Services to the Indigent Accused. The commission had a broad-based membership and was tasked with promulgating statewide voluntary guidelines on indigent defense delivery systems. The Guidelines were developed to address problems and inconsistencies with respect to the manner, cost efficiency, and quality of legal services provided to the indigent accused in California and to bring about more uniformity in the quality of defense services.

The Guidelines developed by the commission were approved by the Board on December 8, 1990. They are advisory in nature and suggest standards for qualification for attorneys, standards for representation, workloads, funding issues, facilities, disciplinary procedures, supervision, training, support staff, assignment of cases and other criminal defense services standards for public defender offices, assigned counsel systems, and contract defense programs and are distributed for reference and voluntary implementation by local jurisdictions. Given the changes in indigent accused practice and services throughout the state since 1990, it is necessary to review and update the Guidelines to reflect current practices and to help share information with the various programs and jurisdictions regarding adequate representation for the indigent accused.

The Composition and Role of the Working Group

The ten-member Working Group will be composed of a variety of stakeholders throughout the state who have experience in indigent criminal defense matters. Members will include public (defense and prosecution) and private attorneys; administrators or staff attorneys from Alternate Public Defender Offices, Criminal Court Appointed Counsel Programs or other contract programs; and one judicial officer who has presided over criminal matters involving indigent defendants. In addition, there will be two liaisons from the Board of Governors. The Working Group will receive staffing support from the Office of Legal Services, Access & Fairness Programs and report directly to the State Bar Board of Governors.

The Working Group is tasked with the following:

- Collect, review and evaluate current information from a variety of indigent criminal defense programs and compare to the 1990 Guidelines;
- Obtain public comments on the 1990 version;
- Draft revisions to the Guidelines and distribute draft for public comment; and
- Revise Guidelines and submit a final version for approval by the Board of Governors by December 2005.

The projected date for the printing and distribution of the revised Guidelines is January 2006.

Time Commitment

Six working sessions (in person and via video conference) will be scheduled beginning late June or early July 2004 until December 2005. Members also will participate in conference calls as needed plus two public hearings. Working sessions generally will rotate between the San Francisco and Los Angeles State Bar offices and it is anticipated that each session will be scheduled for 6 hours. Working Group members may be reimbursed for approved travel expenses in accordance with the State Bar's travel policy and the Working Group's budget.

Application and Appointment Process

Interested attorneys, administrators and judicial officers should apply by sending a detailed letter of intent and a resume outlining work experience in the area of indigent criminal defense; prior volunteer service with the State Bar of California, local, specialty or national bar associations or other community or professional organizations that prepares you for a position on the Working Group; and educational background. Three letters of recommendation should also be submitted with the application materials. Materials should be sent no later than **Friday, April 23, 2004** to Sharon Ngim, State Bar of California, Office of Legal Services, Access & Fairness Programs, 180 Howard Street, San Francisco, CA 94105 or emailed to sharon.ngim@calbar.ca.gov. Questions may be directed to 415-538-2267. The Board of Governors will make appointments to the Working Group on May 21-22, 2004. Applicants will be notified of the Board's appointments the following week.

*Special thanks to the Foundation of the State Bar of California
for supporting this project.*